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Attorney's Docket No. 9158-2IP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Breen, Jr., et al.
Serial No.: 10/601,619
Filed: June 23, 2003
For: SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR
CONDUCTING REGULATION-COMPLIANT COMMERCIAL TRANSACTIONS
OF REGULATED GOODS VIA A COMPUTER NETWORK

September 19, 2003

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of **June 23, 2003** rather than June 24, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of **June 23, 2003** being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Certificate of Express Mail on Page 2.
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS on June 23, 2003.
3. A true and accurate copy of the Track & Confirm from the United States Postal Service website (www.usps.com) indicating receipt of the Express Mail package at the Post Office on June 23, 2003 and delivery of the package at the USPTO on June 24, 2003; and
4. A true and accurate copy of our return post card sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of June 24, 2003 instead of the Express Mail date of June 23, 2003.

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This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of **June 23, 2003** as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

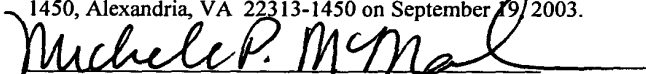


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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 19, 2003.


Michele P. McMahan